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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF THEIR OPPOSITION
TO PLAINTIFF WAYMO LLC'S
LETTER BRIEF REGARDING
PRIVILEGE ISSUES AND EXHIBITS
THERE TO**

Pursuant to Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for an order to file under seal their Opposition to Plaintiff Waymo LLC’s Letter Brief Regarding Privilege Issues and Exhibits Thereto. Specifically, Defendants request an order granting leave to file under seal the confidential portions of the following documents:

Document	Portions to Be Filed Under Seal
Defendants’ Opposition to Waymo’s June 15, 2017 Letter Brief Regarding Privilege Issues (“Opposition”)	Highlighted Portions
Exhibit A to the Declaration of Julie DeStefano in Support of Defendants’ Opposition	Entire Document
Exhibits A and B to the Declaration of Sylvia Rivera in Support of Defendants’ Opposition	Entire Document

The highlighted portions of the Opposition include details of a business agreement containing non-public, highly confidential information, including highly confidential business information relating to terms of the agreement, including financial terms and conditions. These highlighted portions contain highly sensitive business information that is not publicly known, and their confidentiality is strictly maintained. This information could be used by competitors and counterparties to Uber’s detriment, including in the context of negotiating business deals. Disclosure of this information would allow competitors or counterparties to tailor negotiation strategy, including with respect to financial terms and conditions. If such information were made public, Uber’s competitive standing could be significantly harmed. (Declaration of Michelle Yang in Support of Defendants’ Administrative Motion to File Documents Under Seal (“Yang Decl.”) ¶ 3.)

The entirety of Exhibit A to the Declaration of Julie DeStefano is a non-public, confidential employment document, including non-public, confidential business information relating to Uber’s employment and compensation terms. This information is not publicly known, and its confidentiality is strictly maintained. This information could be used by competitors or

1 counterparties to Uber's detriment, including by using this information to gain an advantage over
 2 Uber in employment negotiations in a competitive market for talent. Disclosure of this
 3 information would allow competitors or counterparties to tailor negotiation strategy, including
 4 with respect to employment and compensation offers. If such information were made public,
 5 Uber's competitive standing could be significantly harmed. (Yang Decl. ¶ 4.)

6 The entireties of Exhibits A and B to the Declaration of Sylvia Rivera are Defendants'
 7 privilege logs that include the email addresses of certain high-ranking executives listed within the
 8 privilege logs. Defendants seek to seal this information in order to protect the privacy of these
 9 executives, as they are prominent individuals at a company that is currently the subject of
 10 extensive media coverage. Disclosure of this information for these high-ranking executives could
 11 expose them to harm or harassment. (Yang Decl. ¶ 5.)

12 Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the
 13 documents at issue, with accompanying chamber copies.

14 Defendants served Waymo with this Administrative Motion to File Documents Under
 15 Seal on June 19, 2017.

16 For the foregoing reasons, Defendants request that the Court enter the accompanying
 17 Proposed Order granting Defendants' Administrative Motion to File Documents Under Seal and
 18 designate the service copies of these documents as "HIGHLY CONFIDENTIAL –
 19 ATTORNEYS' EYES ONLY."

20 Dated: June 19, 2017

MORRISON & FOERSTER LLP

21
 22 By: /s/Arturo J. González
 ARTURO J. GONZÁLEZ

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 24 Attorneys for Defendants
 25 UBER TECHNOLOGIES, INC.,
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 26 TRUCKING LLC
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